

EXHIBIT 13

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
~~GULFPORT~~ DIVISION

Southern

IN RE: *EX PARTE* APPLICATION OF) CASE NO.:
LAURA ZÚNIGA CÁCERES, BERTHA)
ZÚNIGA CÁCERES, AND SALVADOR)
ZÚNIGA CÁCERES FOR ASSISTANCE)
BEFORE A FOREIGN TRIBUNAL)

**DECLARATION OF VÍCTOR FERNÁNDEZ IN SUPPORT OF *EX PARTE*
APPLICATION OF LAURA ZÚNIGA CÁCERES, BERTHA ZÚNIGA CÁCERES,
AND SALVADOR ZÚNIGA CÁCERES FOR DISCOVERY FOR USE IN A FOREIGN
TRIBUNAL PURSUANT TO 28 U.S.C. § 1782**

I, Víctor Antonio Fernández Guzmán, declare under penalty of perjury of the laws of the United States of America that the following is true and correct:

1. I am duly admitted to practice law in the Republic of Honduras.
2. I represent Bertha Isabel Zúniga Cáceres, Laura Yolanda Zúniga Cáceres, and Salvador Edgardo Zúniga Cáceres (together, “Applicants” or the “Cáceres Children”) in the criminal trial against Roberto David Castillo Mejia (“Castillo”) for the murder of Berta Isabel Cáceres Flores (“Ms. Cáceres”), which is currently pending before the Trial Court with National Territorial Jurisdiction in Criminal Matters in Honduras. I, along with Ronis Rodil Vásquez Florentino, serve as Applicants’ private prosecutor in the criminal proceedings against Castillo as authorized by Honduran law.
3. I am familiar with the laws of the Republic of Honduras. Under Honduran law, private prosecutors have the right to present arguments, submit evidence, and conduct direct and cross-examinations of witnesses at pre-trial hearings and during trial in criminal matters.
4. I participated in the 2018 trial of eight men accused of Ms. Cáceres’s murder on behalf of the Cáceres Children. I presented evidence, cross-examined the accused and witnesses, presented arguments at pre-trial hearings, and filed briefs in those proceedings.

VF

5. On March 1, 2018, Castillo was indicted as the “intellectual author” of Ms. Cáceres’s killing and is currently on trial for her murder. I have been participating as a private prosecutor representing the Cáceres Children in the criminal proceedings against Castillo.

6. At a March 2019 pre-trial hearing, I argued that Castillo, with the support of public officials and private individuals, infiltrated the Council of Popular and Indigenous Organizations of Honduras (“COPINH,” an indigenous rights group Ms. Cáceres co-founded), monitored Ms. Cáceres’s activities, undermined her efforts to oppose the Agua Zarca Dam project, and orchestrated her murder. I submitted documents, expert testimony, and other evidence to the trial court in support of these arguments.

7. The evidence I have compiled and reviewed indicates that Castillo had strong financial motives to carry out the murder. I discovered that Castillo purchased a 5,073 sq. ft. house valued at over \$1.5 million in Houston, Texas several months after Ms. Cáceres’s killing. I believe that mortgage records related to the property, which will contain information about the existence and source of a significant down payment and income, will reveal that Castillo received a large amount of money to orchestrate the murder. I also believe that these records will supply new information that may implicate previously unknown or unindicted individuals and/or entities in the murder of Ms. Cáceres.

8. I intend to present relevant evidence obtained as a result of this application in the criminal proceedings against Castillo in Honduras. VF

9. The trial against Castillo has been suspended pending an appeal. Once the appeal has been resolved, the trial will resume.

10. This declaration is in English and has been translated to me in Spanish. I hereby attest to the truthfulness of the foregoing declaration.

Dated: July 12, 2019



Víctor Antonio Fernández Guzmán